

network printer via said server in response to the image output instruction to acquire the condition of said network printer, and setting a color processing condition of said color processing function]

code for a storage function of storing the inputted condition information in association with each of the plurality of image output units;

code for a transmission function of transmitting the stored condition information to the host computer in accordance with a request for acquiring the condition information issued by the host computer; and

code for a management function of managing an image output job of the host computer.

REMARKS

This application has been reviewed in light of the Office Action dated September 1, 1999. Claims 1-15 remain pending in this application and have been amended to define more clearly what Applicant regards as his invention, in terms that distinguish over the art of record. Claims 1, 7, and 11-15 are in independent form. Favorable reconsideration is requested.

The Office Action rejected Claims 1-6, 12, and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,579,090 (Sasanuma et al.).

The Office Action rejected Claims 7-10, 13, and 15 under 35 U.S.C. § 103(a) as being unpatentable over Sasanuma et al. in view of U.S. Patent No. 5,768,483 (Maniwa et al.).

The Office Action rejected Claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Maniwa et al. in view of Sasanuma et al.

As shown above, Applicant has amended independent Claims 1, 7, and 11-15 in terms that more clearly define the present invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Sasanuma et al. relates to a printing system, such as a copying machine, that stabilizes print quality by performing self calibrations. As described in Fig. 4 of Sasanuma et al., the copying machine determines a γ -LUT value, which is used to calibrate the copying machine. The γ -LUT value, however, is held in the copying machine and cannot be referred to by another machine.

Maniwa et al., as understood by Applicant, relates to a method for managing print jobs in a network system that includes work stations, a file server, and a printer. Apparently, Maniwa et al. teaches that the file server queues print jobs from the work stations, and transfers the print jobs

to the printer for execution.

The aspect of the present invention defined in Claim 1 is directed to an image processing apparatus. The apparatus includes a communicator for performing two-way communications with an image output unit, which is an external unit that includes an update unit for updating condition information indicating a condition of the image output unit as well as a memory for storing the condition information. The apparatus also includes an input unit for inputting an image output instruction, an acquisition unit for acquiring the condition information stored in the image output unit in response to the image output instruction, and an image processor for performing image processing of image data in accordance with the condition information acquired by the acquisition unit.

One important feature of Claim 1 is that the condition information is acquired from the image output unit and is the latest information on the condition of the image output unit at the time the image output instruction is given by the host computer. The acquired condition information is used by the image processor to process image data. The processed image data is then used by the image output unit to output an image.

Applicant submits that Claim 1 is patentable over Sasanuma et al. for the reason that nothing has been found in Sasanuma et al. that teaches or suggests an image processing

apparatus comprising "a communicator for performing two-way communications with an image output unit that includes an update unit for updating condition information indicating a condition of the image output unit and a memory for storing the condition information," as recited in Claim 1.

The Office Action alleges that the two-way arrow in Fig. 23 of Sasanuma et al. is equivalent to the claimed communicator. The two-way arrow in Fig. 23, however, refers to communication between a reader unit and a printer control unit, both of which are part of a printer unit. Applicant submits that the two-way arrow is not equivalent to or suggestive of two-way communication between an image output unit and an image processing apparatus, but instead merely indicates an internal communication within a printer unit of the copying machine.

Further, Applicant submits that Claim 1 is patentable over Sasanuma et al. for the reason that Sasanuma et al. fails to teach or suggest an image processing apparatus comprising "an acquisition unit for acquiring the condition information stored in the image output unit by utilizing the two-way communications, in response to the image output instruction," as recited in Claim 1.

As discussed above, Sasanuma et al. relates to an internal calibration system for a copying machine. In contrast, the image processing apparatus of Claim 1 acquires condition

information from the external image output unit, and then processes image data according to the acquired condition information.

Accordingly, for at least the above-stated reasons, Applicant submits that Claim 1 is patentable over Sasanuma et al., and respectfully requests reconsideration of the rejection under 35 U.S.C. § 103(a).

Independent Claims 12 and 14 are method and computer memory medium claims corresponding to apparatus Claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 1.

The aspect of the present invention defined in Claim 7 is directed to an image processing apparatus that is connected, via a communication network, with a host computer and a plurality of image output units. Each image output unit has a function of updating its condition information.

The apparatus includes an input unit for inputting the condition information updated by the plurality of image output units, and a memory for storing the inputted condition information associated with each of the plurality of image output units. A transmitter of the apparatus transmits the stored condition information to the host computer upon a request by the host computer. The apparatus also includes a management unit for managing an image output job of the host computer.

One important feature of Claim 7 is that the condition information for each of the plurality of image output units is centrally stored and managed by the image processing apparatus, and the stored condition information is transmitted to the host computer upon request by the host computer.

Applicant submits that a combination of Sasanuma et al. and Maniwa et al., assuming such combination would even be permissible, would fail to teach or suggest an image processing apparatus comprising "a memory for storing the inputted condition information in association with each of the plurality of image output units" and "a transmitter for transmitting the stored condition information to the host computer in accordance with a request for acquiring the condition information issued by the host computer," as recited in Claim 7.

In fact, Applicant submits that the combined teachings of Sasanuma et al. and Maniwa et al. would, at best, result in a method for managing print jobs in a network system that includes work stations, a file server, and a printer/copier, wherein the printer/copier performs self calibrations. Clearly this is not equivalent to or suggestive of the image processing apparatus of Claim 7.

Accordingly, for at least the above-stated reasons, Applicant submits that Claim 7 is patentable over the cited art, and respectfully requests reconsideration of the rejection under

35 U.S.C. § 103(a).

Independent Claims 13 and 15 are method and computer memory medium claims corresponding to apparatus Claim 7, and are believed to be patentable for at least the same reasons as discussed above in connection with Claim 7. Additionally, independent Claim 11 is directed to a method performed in a system that includes the apparatus of Claim 7. Accordingly, Claim 11 is believed to be patentable for at least the same reasons as discussed above in connection with Claim 7.

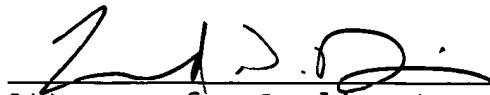
A review of the other art of record has failed to reveal anything that, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as applied against the independent claims herein. Therefore, those claims are respectfully submitted to be patentable over the art of record.

The other rejected claims in this application depend from one or another of the independent claims discussed above and are therefore submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant

Registration No. 29 286
51,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY_MAIN 64401 v 1